

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

ERNEST SMITH,

Plaintiff,

v.

Case No. 06-C-999

ABBAS ANGHA, et al.,

Defendants.

DECISION AND ORDER

Pro se plaintiff Ernest Smith, a Chapter 980 inmate at the Wisconsin Resource Center, was allowed to proceed on his claim that the defendants strip searched him in order to subject him to humiliation. Defendants have filed a motion for summary judgment with no response from Smith. In their filings, defendants explain that Smith was strip searched not to humiliate or punish, but because he had been transferred (for disciplinary reasons) to a secure unit. *See Bell v. Wolfish*, 441 U.S. 520, 539 (1979). The institution's policy is to always conduct a strip search in such circumstances to screen for weapons and other contraband. The search in question may have been less dignified than is ideal because Smith refused to consent to the search. This required the officer to perform the search in front of Smith's cell rather than in the designated strip cage. Because Smith has not disputed any of the above, it is considered admitted and, for summary judgment purposes, dispositive.

Because Smith has not established any genuine issues of material fact and because the defendants have shown they are entitled to judgment as a matter of law, their motion will be **GRANTED** and the case **DISMISSED**.

SO ORDERED this 20th day of November, 2007.

s/ William C. Griesbach
William C. Griesbach
United States District Judge